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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION NO.2908 OF 2005

Banwari Algu Yadav ..Petitioner

Vs.

The Chief Executive

Officer, SRA & Ors. ..Respondents

Mr. S.S.Redekar for the petitioner
Mr. G.D. Utangale, for the relspondent NO.1.
Mr. Pradeep Jadhav, AGP for Respondent No.3.
Mr.A.K. Savla, for respondent No.2.
Mr. R.V. Govilkar for Respondent No.4.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE: 15TH DECEMBER, 2006

P.C.

. Rule. Heard forthwith.

2. Pursuant to the inspection carried out as directed by this Court an affidavit has been filed by Vijay Shridhar Padhiye in which it is set out that the building is habitable and the ground floor can be used as a commercial premises. The petitioner contends that the premises has a toilet and bath room and commercial premises do not have the same. Considering the contention raised by the petitioner the respondent No.4 builder within four weeks from today to take steps to remove the toilet and bath room.

3. Learned Counsel states that in so far as other persons are concerned, the loft has been provided. That is not the part of the D.C.

Regulations. If the petitioner has still any cause regarding the loft he can independently pursue the same and not by way of the present petition. With the above observation Rule made partly absolute. No order as to costs.

(F.I. REBELLO, J)

(ANOOP V. MOHTA J).